

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

JEFFERY A. STALLWORTH **PLAINTIFF**

VS. **CIVIL ACTION NO. 3:16cv246-CWR-FKB**

GOVERNOR DEWEY PHILLIP
“PHIL” BRYANT, ET AL. **DEFENDANTS**

and

**TONY T. YARBER, Mayor of the City of
Jackson, Mississippi, on behalf of the
Citizens of the City of Jackson, ET AL.** **INTERVENOR-PLAINTIFFS**

VS.

**PHIL BRYANT, in his Official Capacity as
Governor of the State of Mississippi, ET AL.** **DEFENDANTS**

GOVERNOR BRYANT’S MOTION FOR PROTECTIVE ORDER

Defendant Governor Phil Bryant, in his official capacity as Governor of the State of Mississippi (“Governor Bryant” or “Governor’s Office”) moves the Court for a protective order pursuant to Fed. R. Civ. P. 26(c) and states:

1. On January 11, 2018, the JMAA plaintiffs moved to compel the depositions of the Governor’s Chief of Staff Joey Songy, Policy Advisor Bobby Morgan, and Policy Advisor Alice Perry. [Dkt. 255].
2. The JMAA plaintiffs have never noticed the proposed depositions or subpoenaed any witnesses to attend the proposed depositions.
3. Governor Bryant opposes the JMAA plaintiffs’ demanded relief and requests that the Court enter a protective order prohibiting the proposed depositions.

[See Dkt. 259 & 260].

4. Because the JMAA plaintiffs have not noticed the proposed depositions or subpoenaed any witnesses, and he seeks counter-relief in response to the JMAA plaintiffs' motion, Governor Bryant submits this separate motion for protective order pursuant to Rule 26(c). *See* L.U.Civ. R. 7(b)(3)(C).

5. The Court should enter a protective order barring the JMAA plaintiffs' proposed depositions of Chief of Staff Joey Songy, Policy Advisor Bobby Morgan, and Policy Advisor Alice Perry for the reasons set forth in Governor Bryant's opposition to the JMAA plaintiffs' motion to compel and his supporting memorandum of authorities. [Dkt. 259 & 260].

6. Governor Bryant's counsel certify they have conferred in good faith with counsel for the JMAA plaintiffs to resolve the parties' dispute regarding the JMAA plaintiffs' proposed depositions, [see Dkt. 255-2; 255-8; 255-9], and previously participated in a discovery conference with the Court.

7. Governor Bryant's requested relief is supported by the foregoing, his response in opposition to the JMAA plaintiffs' motion, [Dkt. 259], as well as his memorandum of authorities supporting his response, [Dkt. 260]. This motion incorporates those filings and their exhibits herein by reference in satisfaction of the requirement of submitting a separate memorandum of authorities pursuant to L.U.Civ. R. 7(b)(4).

FOR THESE REASONS, Governor Bryant respectfully requests that the Court deny the JMAA plaintiffs' Motion to Compel [Dkt. 255] and grant a protective order prohibiting the proposed depositions of Chief of Staff Joey Songy, Bobby Morgan, and

Alice Perry.

THIS the 25th day of January, 2018.

Respectfully submitted,

GOVERNOR PHIL BRYANT

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Counsel for Governor Phil Bryant

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been filed with the Clerk of Court using the Court's ECF system and thereby served on all counsel of record who have entered their appearance in this action to date.

THIS the 25th day of January, 2018.

S/Justin L. Matheny
Justin L. Matheny